

ROBERT MENENDEZ
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United States Senate

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October 23, 2017

Inspector General Arthur A. Elkins, Jr.
U.S. Environmental Protection Agency
Office of Inspector General
1200 Pennsylvania Avenue, NW (2410T)
Washington, DC 20460

Dear Inspector General Elkins:

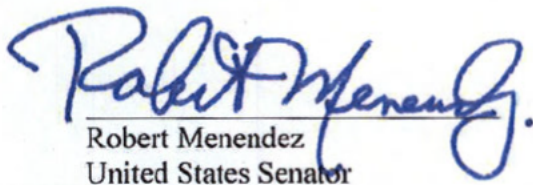
I am writing to request that the Environmental Protection Agency's (EPA) Office of the Inspector General initiate an investigation into a recent *New York Times* report detailing political interference, suppression of science, and prioritization of industry recommendations over public health in EPA's Office of Chemical Safety and Pollution Prevention, and throughout the agency at large.

Specifically, I urge you to investigate reports of:

- The suppression of science relating to the public health impacts of toxic and dangerous chemicals;
- The use of "administratively determined" hiring practices, and the extent to which these practices are used to circumvent EPA's ethics or conflict of interest standards; and
- Deference to industry requests, rather than scientific and technical analysis, in the context of the agency's rulemaking process.

EPA's chemical safety work is essential to protecting human health in a society where interaction with chemicals is both pervasive and unavoidable. The public has the right to know whether EPA employees are working on their behalf, or the behalf of industries the agency purports to regulate. Thank you for your timely consideration of this request.

Sincerely,


Robert Menendez
United States Senator

(b) (6)

From: Lagda, Jeffrey
Sent: Friday, October 27, 2017 11:01 AM
To: Sullivan, Patrick F.
Cc: Larsen, Alan; Kaplan, Jennifer; Elbaum, Kentia; Christensen, Kevin; Eyermann, Richard; Ulmer, Craig; (b) (6)
Subject: RE: Memo and questions.

Patrick:

It was more an FYI to (b) (6) since the information provided is associated with Hotline complaint related to Sen. Menendez' recent request.

Jeff

From: Sullivan, Patrick F.
Sent: Thursday, October 26, 2017 6:36 PM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>; Larsen, Alan <Larsen.Alan@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>; Elbaum, Kentia <elbaum.kentia@epa.gov>; Christensen, Kevin <Christensen.Kevin@epa.gov>; Eyermann, Richard <Eyermann.Richard@epa.gov>; Ulmer, Craig <Ulmer.Craig@epa.gov>; (b) (6)
Subject: RE: Memo and questions.

Jeff,

(b) (5)

Patrick F. Sullivan

Assistant Inspector General for Investigations
EPA Office of Inspector General
Desk: (202) 566-0308
Cell: (b) (6)
FAX: (202) 566-0814
Email: sullivan.patrick@epa.gov

To report fraud, waste or abuse impacting EPA, please contact the EPA OIG Hotline via telephone numbers 202-566-2476 or 888-546-8740, fax 202-566-2599, or email at oig_hotline@epa.gov

To report threats directed against EPA employees, contractors, facilities and assets, please email report.EPA.threats@epa.gov

From: Lagda, Jeffrey
Sent: Thursday, October 26, 2017 11:51 AM
To: Larsen, Alan <Larsen.Alan@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>; Elbaum, Kentia <elbaum.kentia@epa.gov>; Christensen, Kevin <Christensen.Kevin@epa.gov>; Eyermann, Richard

<Eyermann.Richard@epa.gov>; Sullivan, Patrick F. <Sullivan.Patrick@epa.gov>; Ulmer, Craig <Ulmer.Craig@epa.gov>;

(b) (6)

Subject: FW: Memo and questions.

More from (b) (6)

From: (b) (6)

Sent: Thursday, October 26, 2017 11:08 AM

To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>

Subject: Re: Memo and questions.

These are notes from a June 1, 2017 meeting, (b) (6)

[See this link](#) You can see from these notes from (b) (6) that they are discussing "uses" as TSCA defines the term, as it relates to the risk evaluation rule. These notes are now in the public domain.

And you can see from the second attachment (2016-8-24) that (b) (6) specifically mentioned the use issue in her comment letter while with ACC to the EPA from August 2016.

So she is in a meeting on June 1, prior to the June 8 impartiality determination, discussing issues that she specifically commented on while with ACC.

And she separately instructed EPA staff, while on Administratively Determined status (meaning not supposedly management) to change the Risk Evaluation rule even prior to this June 1 meeting, in mid May, so that this issue re "uses" was addressed, and changed, in a way that is entirely consistent with her comments while she was with ACC. This according to (b) (6), who recorded these instructions in her notes. [See this link](#). This document is also now in the public domain.

So my question to the IG. Is this all proper?

To review, there are two links and an attachment here.

I welcome you insight on this.

(b) (6)

On Thu, Oct 26, 2017 at 10:21 AM, Lagda, Jeffrey <Lagda.Jeffrey@epa.gov> wrote:

(b) (6)

Thanks for this. I will forward to the appropriate staff.

As promised, I will keep you posted.

Jeff

From: (b) (6)
Sent: Thursday, October 26, 2017 9:53 AM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Subject: Memo and questions.

Impartiality statement says that she is entitle to interact with ACC as June 8

But the potential problem here is that the two rules that she worked, prioritization and risk evaluation, which she had commented on while at ACC, where sent to ORIA with her input as of June 1.

I was told that in June 1, with EWG, she discussed ACC recommendations with representatives from EWG.

(b) (6)

(b) (6)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
INSPECTOR GENERAL

January 26, 2018

MEMORANDUM

SUBJECT: Office of Inspector General Hotline Complaint 2018-0131

FROM:

(b) (6)

Special Agent, Hotline Manager
Headquarters, Office of Inspector General

TO:

Patrick Sullivan
Assistant Inspector General
Office of Investigations

The Environmental Protection Agency (EPA), Office of Inspector General (OIG), Hotline received an allegations of a prohibited personnel practice for an application for a (b) (6) Special Agent (SA) (b) (6) receive the allegations on January 3, 2018, from a meeting with (b) (6)

(b) (6) in the meeting provided detailed information to support (b) (6) allegations. Attached is summary provided by SA (b) (6) to the Hotline.

Please inform the Hotline upon the completion of this assignment so that it can be closed. If you have any further questions, please call me (202) (b) (6).

Attachment:

Allegation 3: Prohibited Personnel Practices

(b) (6) that on or about October 2017, (b) (6) received a request from (b) (6) EPA to process the employment package of (b) (6). According to the information provided by (b) (6), (b) (6) office received (b) (6) resume and biographical data sheet from (b) (6) and upon reviewing the resume, it was determined that (b) (6) did not qualify for the position (b) (6). (b) (6) as (b) (6) resume did not contain relevant professional experiences. (b) (6) stated that (b) (6) resume contained information related to work and experiences in the field of (b) (6), consequently, (b) (6), (b) (5)

(b) (6), (b) (2), (b) (5)

(b) (6) reported that during the process of reviewing (b) (6) resume, (b) (6) informed a member of (b) (6) staff that the package needed to get done as it was a "West Wing" request. According to (b) (6) during that time frame, (b) (6) allegedly told (b) (6) that (b) (6) was (b) (6).

From: [Sheehan, Charles](#)
To: [Collins, Kevin W.](#); [May, Benjamin](#)
Subject: FW: concern about filling a career position in (b) (6)
Date: Thursday, November 19, 2020 12:08:38 PM
Attachments: [FW \(b\) \(6\) .msg](#)

Hotline referral

From: Fugh, Justina <Fugh.Justina@epa.gov>
Sent: Thursday, November 19, 2020 11:35 AM
To: Sheehan, Charles <Sheehan.Charles@epa.gov>
Cc: (b) (6)
Subject: concern about filling a career position in (b) (6)

Hi Chuck,

(b) (6), (b) (5)
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

[Redacted]
[Redacted]
[Redacted]
[Redacted]

[Redacted]

Justina

Justina Fugh | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772